

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-43 are pending in this application. Claims 1-43 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. patent 6,009,284 to Weinberger et al. (herein “Weinberger”) in view of U.S. patent 5,552,901 to Kikuchi et al. (herein “Kikuchi”).

Addressing the above-noted rejection, that rejection is traversed by the present response.

Initially, applicants note the claims are amended by the present response to delete certain features that are not believed to be needed for patentability. The claim amendments thereby do not narrow the claims in any aspect but only broaden the claims.

Applicants respectfully submit the outstanding rejection has not fully considered all the claim features as it does not appear that the cited art is even relevant to the claim features.

Briefly summarizing, the claims as currently written are directed to an image forming apparatus system, method, and central supervisory apparatus that can supervise a plurality of image forming apparatuses disposed at a plurality of user sides. In particular, the claims relate to a central supervising apparatus capable of remotely downloading firmware to an applicable image forming apparatus based upon updated hardware.<sup>1</sup> To that effect, the claimed invention includes in a system with the supervisory apparatus, a firm download device configured to download prescribed updated firmware to an applicable one or more of the plurality of image forming apparatuses in accordance with the updated hardware of the one or more image forming apparatuses. Further, a firmware update device is provided in each of the image forming apparatuses and is configured to update the firmware of the one or more image forming apparatuses that is downloaded from the central supervisory apparatus.

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<sup>1</sup> See also for example the present specification at page 1, lines 15-17.

At least certain of such features are believed to be reflected in each of the independent claims, and are believed to clearly distinguish over the applied art.

With respect to the above-noted features the outstanding rejection cites Weinberger to disclose a firmware download device at column 3, lines 23-48 and to disclose a firmware update device also at column 13, lines 23-48. However, that basis relying on the teachings in Weinberger is not at all understood. More particularly, Weinberger is directed to a system and method to control image processing devices from a remote location. However, Weinberger does not appear at any portion to disclose anything even similar to downloading firmware from a central supervisory apparatus to an image forming apparatuses.

In fact, the following is the entire quotation cited in the Office Action at column 13, lines 23-48 in Weinberger.

FIG. 21 is an actual screen dump of the monitoring mode for a Xerox 1025 copier. By having a copy of the control panel information, such a screen can be created and maintained for virtually any copier, whether or not the panel consists of a simple indicators (the static panel) or textual display characters (the dynamic panel). It then becomes a matter of processing the data against a map of the display layout of a given copier 2 to arrive at the end result. The screen of FIG. 22 shows the current state of the ten major status indicators as well as the copier setup parameters, copy count and error codes, in the event of a copier fault.

The advantages gained by having a remote key operator or service personnel being able to view an actual representation of any copier 2 is extremely valuable. It allows an experienced person to view actual machine conditions first hand and also allows them to guide a less experienced individual at the remote machine site. An additional benefit of this real-time monitoring technique is that a person in a totally separate facility or town via a modem telephone link can view the actual status panel of a copier 2 to suggest possible solutions to a problem. If a copier fault occurs, a copier fault code is displayed on the control panel 12. Through software this fault code can be converted by the data collection computer 16 into an on-line help facility to aid a key operator in correcting non-technical faults, as shown in FIG. 22.

As clear from the above disclosure, Weinberger merely discloses being able to monitor a copier. At the above-noted portion Weinberger does not disclose any features that

appear to even remotely directed to *downloading firmware* from a central supervisory apparatus to image forming apparatuses in accordance with updated hardware at the image forming apparatuses.

In such ways, the reliance on Weinberger in the outstanding Office Action is believed to be improper with respect to the claim features.

Moreover, no teachings in the secondary cited reference to Kikuchi were cited with respect to the above-noted features, nor are the teachings in Kikuchi believed to overcome the above-noted deficiencies in Weinberger.

In such ways, each of the claims as currently written is believed to clearly distinguish over Weinberger in view of Kikuchi.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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